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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,311	02/21/2002	Leslie A. Baxter	Baxter 10-1-3	3677

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EXAMINER

AST, FATIMA M

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,311

Applicant(s)

BAXTER ET AL.

Examiner

Fatima Ast

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-20 are pending.

Claim Objections

1. Claims 10 and 12 are objected to because of the following informalities: the phrase "translation language" should be "transaction language". Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 6 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 6 recites the limitation "said input...correlation tag" in line 3. There is insufficient antecedent basis for this limitation in the claim.
4. Claim 17 recites the limitation "the TL1 message" in line 8. There is insufficient antecedent basis for this limitation in the claim. Examiner will assume the intended language is "the input command message".

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 10-13 and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao (US 6,674,756) in view of Keats (US 6,738,828)

7. Regarding claims 1, 2, 10, 17, and 18, Rao discloses a method and apparatus for translating control messages comprising:

8. intercepting an input message intended for a router (column 8 line 66 – column 9 line 11), said router partitioned into a plurality of logical router partitions, said input command message expressed in terms of a logical router partition (column 9 lines 12-23, column 19 line 62-column 20 line 3);

9. translating the logical router partition or target identifier expressed in said input command message into a physical router expression or target identifier (column 15 lines 32-41); and

10. propagating said input command message including any translated expressions, toward said router (column 9 lines 44-59, column 20 lines 11-15).

11. Rao does not specifically enumerate intercepting an input command message, nor TL1 messages. Keats discloses intercepting a TL1 command message (column 4 lines 18-22). Keats teaches a network system with multiple network elements, and Rao teaches a particular network element, that is a physical network switch. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention for the network element of Rao to be one of the network elements of the system of Keats, as Keats enumerates multiples network elements said network elements performing such functions as adding, dropping and multiplexing frames (column 1 lines 13-26).

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12. Regarding claims 3, 11 and 19, Rao-Keats discloses indexing a logical target identifier with an input correlation tag of said input command message. (Keats column 6 lines 59- column 7 line 2 wherein correlation tags are described, Rao column 14 lines 41-55, column 15 lines 6-24, wherein indexing of parameters of the message are described, including a logical target identifier).

13. Regarding claims 4, 5, 12 and 20, Rao-Keats discloses intercepting a return message from the router, said return message expressed in physical router terms;

14. translating said physical router expression or target identifier of said return message into a logical router partition or target identifier and

15. propagating said translated return message toward said network manager (Keats column 8 lines 25-58, wherein a return TL1 messages is propagated back to the network manager).

16. Regarding claims 6 and 13, Rao-Keats discloses determining said logical target identifier from a return correlation tag of said return message and an index, wherein said input and return correlation tags are equivalent (Keats column 6 lines 59 – column 7 line 5, wherein Keats teaches that the input and response correlation tags are “matched up”).

17. Claims 7-9 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rao and Keats as applied to claims 1 and 10 above, and further in view of Doolan (US 5,764,955).

18. Regarding claims 7 and 14, Rao-Keats does not specifically enumerate the return message comprises at least one of a command response message and an

acknowledgment message. Doolan discloses response and acknowledgement messages (column 5 lines 36 – column 6 lines 36). It would have been obvious for the return message to be a response or acknowledgement message, as Rao-Keats already discloses TL1 messages, and such messages are known as TL1 messages.

19. Regarding claims 8 and 15, Rao-Keats discloses translation of physical to logical identifiers, and propagating said translated message to the router (as noted in claims 1 and 10 above). Rao-Keats does not specifically enumerate intercepting an autonomous TL1 message from one of the network elements. Doolan discloses autonomous TL1 messages (column 6 lines 23-36). It would have been obvious for the intercepted message to be any of the known types of TL1 messages, including an autonomous message as Rao-Keats already discloses TL1 message communication.

20. Regarding claims 9 and 16, Rao-Keats-Doolan discloses the autonomous message comprises an alarm message (Doolan column 6 lines 23-36).

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 4,816,826 to Munter et al. (with regard to address translation)

US 5,550,816 to Hardwick et al. (with regard to virtual routers)

US 6,457,003 to Gajda et al. (with regard to address translation)

US 6,587,469 to Bragg (with regard to virtual routers)

US 6,594,704 to Birenback et al (with regard to virtual routers)

US 6,687,220 to Ayres (with regard to virtual routers)

Dowling, Conor; Here to Stay (with regard to TL1)

Man, Fu-Tin; A Brief History of TL1 (with regard to TL1)

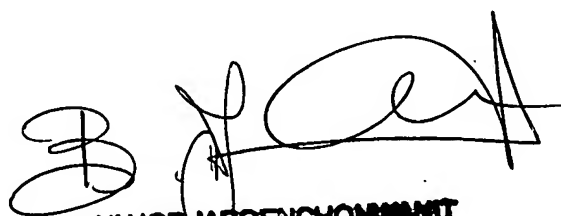
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fatima Ast whose telephone number is (571) 272-7217. The examiner can normally be reached on M-F, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fatima Ast
Examiner
Art Unit 2143

FMA



BUNJOO ARDENCHONNANT
PRIMARY EXAMINER